

Chehalis River Basin Flood Authority

Work Session – 9:00 A.M.

Pe Ell VFW/Community Center
Pe Ell, WA

July 19, 2012 - Meeting Notes

Board Members Present: Dolores Lee, Town of Pe Ell; Edna Fund, City of Centralia; Ron Averill, Lewis County Commissioner; Karen Valenzuela, Thurston County Commissioner; Mark Swartout, Town of Bucoda; Frank Gordon, City of Aberdeen; Lionel Pinn, City of Napavine; Ken Estes, City of Montesano; Dan Thompson, City of Oakville

Board Members Absent: Vickie Raines, City of Cosmopolis; Terry Willis, Grays Harbor County Commissioner, Chad Taylor, City of Chehalis

Support Staff: Jim Kramer, Facilitator; Scott Boettcher, SBGH Partners

Others Present: Please see sign in sheet

Handouts/Materials Used:

- Agenda
- Background Information
- Background Document

1. Call to Order

Vice Chair Valenzuela called the meeting to order at 9:07 a.m. She thanked the Town of Pe Ell for hosting the Flood Authority.

2. Introductions

Self-introductions were made by all attending.

3. Discussion of Amended Consensus Decision-making and Staff Roles

Mr. Kramer stated the background information document included the work tasks approved by OFM. These tasks are under contract that the Flood Authority will address before July 2013. Also included were staff roles and a proposed amendment to the consensus language. These will be discussed at the morning session and at the business meeting the Board will decide to adopt or not adopt.

III. Proposed Amendment to Consensus Decision-making Process

Mr. Kramer referred to Page 3, reconfirming the decision to use consensus. The Flood Authority is doing a good job with starting consensus but there should be agreement about how mechanics will be done. Why use consensus? The paper re-states what the Authority agreed to. Flooding is important and indecision will cause problems. The Flood Authority was created to address flooding issues basin-wide. Consensus agreement will result in better solutions and clarify issues for decision makers.

Mr. Kramer's stated he has observed discussions that got started and then people got impatient and started making motions. The recommended process for consensus is the chair introduces the issue and highlights the questions for discussion. All members are given a chance to express their perspective and ask questions and clarify concerns. When all members have had an opportunity to talk, the facilitator or chair will summarize the discussion and articulate a potential decision for the consideration of the

members. If there is no consensus there would be more discussion; in the event of stalemate then a call for a vote may be necessary.

Commissioner Averill stated he considered consensus a voting procedure and not a replacement for Roberts Rules of Order. Not all recommendations before a body come from a facilitator. If he wants to raise an issue then Robert's is the way to do it and then the body discusses it. He was confused by taking what is predominately a voting procedure and replacing Robert's Rules, which is essentially what has been said.

Mr. Kramer stated that was not his intent. He was thinking more about agenda topics. This could be amended to say that any member can raise an issue, then it is summarized and questions asked and the procedure is followed.

Commissioner Averill stated he agreed with that.

Mr. Estes stated there are two non-members who can put a veto on whatever the Authority discusses. We can be 100% thumbs up and the Tribe can stop a decision. Vice Chair Valenzuela stated this is about the conduct of the Flood Authority, not the people outside of the Authority. In this presentation it takes a thumb's up, sideways or down.

There was further discussion about the thumbs sideways. That means partial consensus: the person can live with the decision for the good of the group or process even though it is not his or her perspective.

II. Staff Roles

Mr. Kramer referred to Page 2 of the Background Information document. At the last two meetings, the one in Oakville and the telephone meeting, the Flood Authority approved a new approach to the budget for the year and staff roles that Ms. Fowler had recommended. Mr. Boettcher, Mr. Kramer and Ms. Ligon developed a short statement of job responsibilities and talked it through with Chair Raines and Vice Chair Valenzuela.

Mr. Kramer's role: Facilitator and lead point of contact for decisions needed by the Flood Authority; work with Chair and Vice Chair to facilitate Executive Committee and Flood Authority meetings; responsible for overall staffing interface with the Authority including Executive Committee; lead for internal and external relations in support of Chair, Vice Chair and other Flood Authority members.

Mr. Boettcher's role: Lead staff; responsible for routine administrative tasks and logistical support to Flood Authority and its subcommittees; responsible for work plan development and tracking; researching and developing staff recommendations for issues that will come before the Authority and subcommittees; supported by Mr. Hueckel.

Ms. Ligon's role: Administrative support; responsible for scheduling and coordination support; tracking contract status and expenditures using Lewis County monthly reports.

Near Term Staff Tasks

1. Jobs Now Act Projects: support Authority decisions to advance projects
2. Flood Warning System: gage installation and funding for on-going O & M (Scott)
3. Finalize Anchor QEA on Fisheries Enhancement piece (Scott)
4. Outreach (Jim and Scott)

- a. Chehalis Tribe
 - b. Quinault Indian Nation
 - c. Governor's Office
 - d. Legislative and Congressional Staff
5. Information gathering/processing (Scott and Nancy)
6. Update Project List (Scott)
7. Support flood awareness efforts by three counties (Scott)

Commissioner Averill stated he has no problem with this; it is essentially what we worked out in the contracts that will be discussed later. He noted that Lewis County is also providing staff support through Pat Anderson and Donna Olson, and Lewis County is the fiscal agent.

Vice Chair Valenzuela stated this is our assurance for transitioning from our former consultant to the new one. She assumed this is all within budget.

Mr. Kramer stated it is in the budget. The agreement between Lewis County and OFM was approved with a revised budget that Ms. Fowler recommended and it is basically what the Authority saw before. Contracts for this work are before the Lewis County BOCC next Tuesday.

Commissioner Averill stated the Authority needs to look at the contracts today and make recommendations. Lewis County has been steadfast about not passing something unless the Flood Authority approves it first.

IV. Staff Recommendation for Next Steps for Jobs Now Act Projects

Mr. Kramer stated that Mr. Boettcher had done a lot of work to get up to speed on the Jobs Now Act and put together a background piece with staff recommendations.

Mr. Kramer spoke with Keith Phillips and Mr. Warnke this morning and the Tribe is sending a signed copy of the Adna project so that can be moved forward for OFM funding. The Tribe is sending a letter with questions about the airport levee; specifically they would like to see hydraulic predictions with Phase I and Phase II. Mr. Karpack has done modeling for Phase II but not for Phase I. There will be a meeting on Monday with Chair Raines and Vice Chair Valenzuela and the Tribe to talk about how the process is going and Mr. Kramer would like information prior to that.

Commissioner Averill stated the background paper shows that \$1.8 million was spent on the levees. That has not yet occurred. Vice Chair Valenzuela stated the \$1,483,974 should be shown as obligated. Mr. Boettcher stated he would change the language.

Mr. Boettcher stated the background document is a reference document and a living document and will continue to move forward. He stated Page 1 is what the legislation actually says. Page 2 shows the five categories of funding and the Adna and Airport levees were specifically identified. Each category shows what has been obligated. The remaining pages capture necessary information that needs to be considered. The Flood Authority needs to study it so questions can be forwarded to the Tribe and OFM.

Mr. Boettcher spoke to Category A, Levees and Dikes. The Jobs Now Act was intended to get boots on the ground and dirt turned. The first two projects, the Airport levee and the Adna Rails to Trails, both meet those intents. They provide jobs, meet flood relief requirements and can be done this fiscal year. Other projects did not meet the criteria and the question was asked if some of the money can be used

for design work. OFM said it can – the funding can be used for design work that will lead to projects. Mr. Boettcher recommended moving forward with the Bucoda levee project. Bucoda has a \$42,000 design that has been identified, work can be done by October or November and that work can lead to budget numbers that can be placed in the capital budget. The project will protect property and the well head.

On other projects that were identified it was not apparent that any of them could complete the design work in time for this year's capital budget. Within the framework from OFM they do not fit that category.

Mr. Swartout, representing Bucoda, stated that the design phase supports 530 hours of work; the construction phase would provide 2010 hours. The cost is for design only; there is no construction cost yet, only how much work it will provide. Mr. Boettcher stated this is helpful because it talks about jobs generated. Anyone helping to populate the reference document should think about this type of information.

Mr. Gordon asked if the other projects would not be considered until 2015 and if Grays Harbor County failed to respond soon enough. Mr. Boettcher stated the Projects Subcommittee worked hard on the master list. From there the request for information had gone out. Aberdeen and Grays Harbor County have not been slow – in an ideal world the template would have been available earlier. Now we are clear on what is needed and you can go back to your people so they know what is needed.

Vice Chair Valenzuela stated it is not too late for some projects to be included. Mr. Kramer stated November 1 is the deadline to get something in the Governor's budget. You can ask to have things inserted. There is more estimated design work than money remaining and there is not enough information from the Authority's standpoint as to what these projects do for flooding.

Commissioner Averill stated there is a legislative process for getting into the Governor's budget. We will have a new governor next year and the budgets will be followed up on. This jobs bill came in after the normal session and there was a big drawing out of the air to come up with numbers. When we get more information and move toward the budget session we may be able to put in placeholders.

Mr. Boettcher summarized the rest of the categories. The Sickman Ford Bridge is a Tribe project and there is nothing for the Flood Authority to do. Category E is improvements to the areas affected by the Satsop River. It is a large-scale flood plain restoration project that had the Corps as a partner at one time. There are a number of questions that cannot be answered relative to protection and benefits and effects. Staff proposes to continue working to flesh out something more concrete for the next meeting.

Commissioner Averill stated this project was originally a 206 Corps project but it exceeded the parameters of the 206 project. The money set aside for this project could be put together with a Corps project if they had funding for it but the government has not funded that pot. This is further along than some other projects and there has been discussion for years about what should be done.

Vice Chair Valenzuela stated this is a good example to ask about the likelihood of carry-over funds to the 2013-2015 budget. Mr. Boettcher stated this is a category that identifies a certain area and that is a good question to keep in mind.

Vice Chair Valenzuela complimented staff on doing the work to keep the Flood Authority moving forward. The gift of \$5 million is clearly a challenge. If the Authority does not use the money or does not use it well the legislators doing the next budget will pull the money. It is important that everything is done and things are kept moving along. She thanked Mr. Boettcher.

Mr. Kramer also complimented Mr. Boettcher on his work. He asked what information is needed that relates to the design work in Category A. There is an estimated \$534,000 for the project plus \$42,000 for design work for Bucoda. We need to provide more information about what these projects do, are there projects to move forward in design and how should the money be distributed? Also, it was decided to hold a special phone meeting every Thursday to move projects forward. There are none booked at this time and Mr. Kramer asked if those meetings should continue or be put on hold.

Commissioner Averill stated regarding the phone meetings, the Authority agreed to be on standby. If there is nothing to discuss the meetings will be canceled. On the other issue, Commissioner Averill did not think the Authority could recommend obligating \$570,000 when it only has \$391,000. We need to do something similar to the first two projects: have a sheet that explains specifically what the scope of the project is and answer key questions regarding downstream and environmental impacts. In the case of the projects for Grays Harbor County some prioritization between the County and jurisdictions is needed. As an outsider it is hard to make those decisions.

Mr. Swartout stated the design contract would be through a PSA with Bucoda. The engineer gave Mr. Swartout the cost and he was pretty sure the figures were accurate and it can be done by October 1. Mr. Karpack was able to give information to determine the cost of the project and he has elevations of the Skookumchuck and the flood elevation from 2009. The question to answer in the design phase is will it protect the well head and pump houses. There was repair done to the levee in 2002 by the Corps and that information will be provided.

Vice Chair Valenzuela stated in addition to the projects called out in the legislation, and because there is not enough money, there is a first come first served basis. Those who get their projects queued up will get their project done first. If the money runs out those projects that didn't get in can be included in the 2013-2015 biennium budget.

5. Public Comment

Mr. Vince Panesko stated he owns a tree farm near where the proposed dam is to be built. He has stated before that there is a risk to the town of Pe Ell if the dam goes in. If the dam fails the town is only two miles away and there would be no time for people to get out. There are dams that are considered high risk and they should be inspected every six years but that is not being done on all of them. Some dams have deficiencies and dam failures occur every couple of years. Over the long term there is a failure to implement funding for proper maintenance. He would like to see something that addresses those risks.

Mr. John Penberth stated he was glad to see the Authority using consensus. It makes each vote equal and it is a good thing for all the citizens that the Board represents.

Ms. Julie Powe stated when she first started attending Flood Authority meetings she was a private citizen. She is disappointed that at the work sessions now people cannot ask questions during the meeting like they could in the past.

Ms. Brenda Novotny thanked everyone for coming to Pe Ell. She likes to see how the Flood Authority works and it is good to understand the process. She was looking forward to the trip to the dam site and she is maintaining an open mind about the dam. There is a long way to go and a lot goes into the process. More information allows for better understanding.

There were no other comments.

6. Adjourn

The meeting adjourned at 10:30.